

Attachment A

**Planning Proposal –
1-11 Oxford Street, Paddington**

Planning Proposal 1-11 Oxford Street Paddington

City of Sydney
Town Hall House
456 Kent Street
Sydney NSW 2000

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Executive summary

Oxford Street and its vicinity has long been appreciated as a creative and cultural precinct both locally and internationally. The areas land use and built form diversity contributes significantly to this character, hosting a real mix of businesses, educational institutions, health facilities, workers and visitors.

The City of Sydney (the City) recognises this by proposing an Eastern Creative Precinct centred on Oxford Street as part of its draft Local Strategic Planning Statement. It aims to support existing and emerging employment clusters within the area and capitalise on the areas proximity to long term establishments including the National Art School, UNSW Art and Design and St Vincent's Hospital.

The City has prepared this planning proposal for 1-11 Oxford Street, Paddington (the site), in response to a request from the landowner, CE Boston Hotels Pty Ltd, to change the planning controls.

This planning proposal explains the intent of, and justification for, proposed amendments to the *Sydney Local Environmental Plan 2012* (Sydney LEP 2012) as it applies to the site. It has been prepared by the City in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning, Infrastructure and Environment's 'A guide to preparing planning proposals' and 'A guide to preparing local environmental plans'.

The site is approximately 1,574 square metres in area and is on the corner of Oxford and South Dowling Streets. The site is occupied by a three-storey Federation Free Style picture theatre building, originally built in 1911, covering most of the site area.

Surrounding land uses include residential accommodation to the south, a residential flat building to the immediate south-east along Oxford Street and various types of retail premises and commercial uses along Oxford Street, as well as a number of institutions.

Under the existing Sydney LEP 2012 controls, the site is zoned B2 Local Centre, has a maximum building height of 15 metres and maximum floor space ratio of 2.5:1. The site's B2 Local Centre zone permits hotel and motel accommodation, entertainment facilities and health service facilities.

The City has prepared this planning proposal following a detailed review of the proponent's planning proposal request and accompanying documentation. This City has sought amendments from the proponent and made changes to address issues relating to heritage, streetscape and urban design impacts.

The planning proposal is to amend the Sydney LEP 2012 as follows:

- adding a new site-specific clause to allow a maximum building height of RL 68.655 metres and a maximum floor space ratio of 2.95:1 above RL 47.455, provided:
 - the site is developed predominantly for hotel or motel accommodation
 - a minimum of 300 square metres gross floor area entertainment facility and 300 square metres gross floor area health services facility are provided at basement level
 - the development will not endanger the structural stability of 1-11 Oxford Street, Paddington or State-significant Busby's Bore heritage item running under the site, and
 - that the development will not be used for the purpose of residential accommodation or serviced apartments.

- Clause 4.6 Exceptions to development standards, to exclude the subject site from the operation of this clause.

The amendment will facilitate the conservation and refurbishment of the contributory heritage building on site for the purpose of hotel accommodation, entertainment facility and health service facility. The proposed future development concept includes new building additions, a 102 room hotel and heritage conservation works. This development would directly support 110 ongoing jobs on site and 380 temporary jobs during construction.

This planning proposal permits changes to the maximum building height and floor space ratio to encourage a number of improvements compared to the existing controls including:

- provision of a new hotel to support the tourism industry
- the opportunity to meet some of the health and education needs associated with the St Vincent's Hospital health cluster and support health and medical research activities and visitor accommodation in the area
- provision of a new entertainment facility to strengthen the economic and cultural role and character of the Eastern Creative Precinct, enhancing the entertainment, arts, performance and cultural role of areas and high streets and helping to meet the identified shortage of small to medium sized performance and rehearsal space venues
- delivering ecologically sustainable development through commitments to a range of targets including a 5 star Green Star Design & As Built certification, a Commitment Agreement of 4.5 stars National Australian Built Environment Rating System (NABERS) Energy for the whole hotel building with the NSW Office of Environment and 4 star NABERS Water whole building rating.

This proposal could generate demand for 110 full time employees in the future, an increase in 83 workers currently estimated on site.

The City has prepared a draft site-specific amendment to the *Sydney Development Control Plan 2012* (draft DCP) to ensure the objectives and intended outcomes of this planning proposal are achieved. The draft DCP includes provisions that relate to, the building envelope, built form, public domain, servicing and sustainability. The draft DCP will be publicly exhibited with this planning proposal.

1. Site identification

Location

The planning proposal relates to 1-11 Oxford Street, Paddington. See location map below at Figure 1.

Land ownership

1-11 Oxford Street is a single landholding owned by CE Boston Hotels Pty Ltd. The legal description of the land affected by this planning proposal is Lots 1 & 2 in DP130269 and Lot A in DP377984.

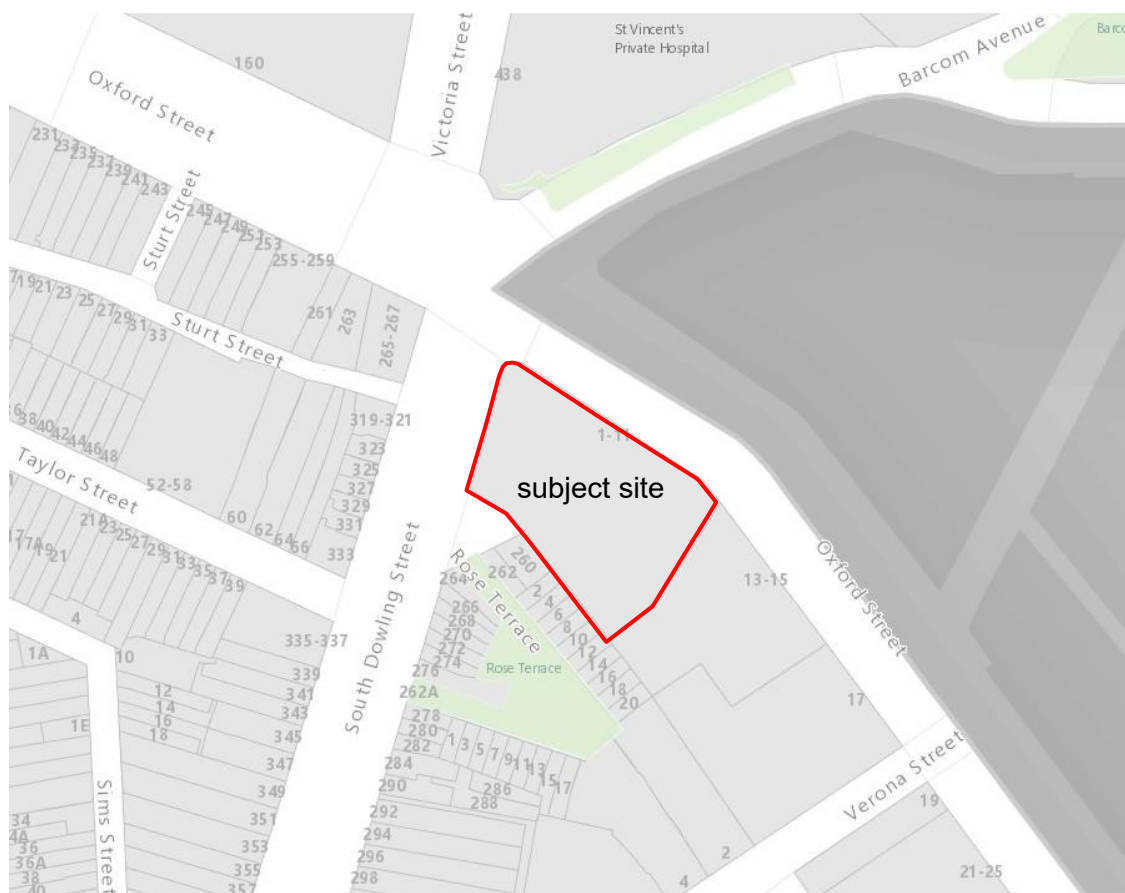


Figure 1. Land affected by this Planning Proposal

Site location

Surrounding land uses include residential accommodation to the south, a residential flat building to the immediate south-east along Oxford Street and various types of retail premises and commercial uses along Oxford Street, as well as a number of institutions.

The site is opposite heritage listed item 'Beauchamp Hotel including interiors' (Item No. 416 at 265-267 Oxford Street) located directly to the west. St Vincent's Hospital and The University of Notre Dame is located directly to the north. The Supreme Court of NSW Darlinghurst Courthouse and the National Art School is located close-

by to the north-west. The Palace Verona cinema, the UNSW Art & Design and the Victoria Barracks are located close-by to the south-east.



Figure 2. Aerial image of subject site and immediate surrounds

Site characteristics

The site is an irregular shaped block, located on the corner of Oxford and South Dowling Streets. It has approximately a 52 metre frontage to Oxford Street, a 27 metre frontage to South Dowling Street and a 3 metre wide splay corner at the junction of these streets.

The site is occupied by a three-storey Federation Free Style picture theatre building, originally built in 1911, covering most of the site area. The building consists of a main rectangle auditorium space, which is constructed from brick and concrete walls extending up to gable ends at the eastern and western ends. A three storey narrow band of rooms wraps between the auditorium walls and the facades on the Oxford Street and South Dowling Street sides. Facades present to Oxford Street and South Dowling Street, constructed from brick external walls that have been rendered and painted.

The building has successively been remodelled over its life, with a major alteration occurring in the late 1960s, relocating the cinema entrance from the splay corner to the middle of the building off Oxford Street, to enable it to operate as a twin cinema. The most recent public cinema use was as the Academy Twin Cinema, operating from 1973 until it closed in 2010. The space was used for a year in 2014 for a rock musical theatre use but has been vacant from mid-2015 to 2019.

In February 2019 the two auditoriums were approved for internal alterations and temporary use of the vacant cinemas as a private film and television screening

space for a 24 month period by Foxtel. The auditorium spaces have now been fitted out and are being used to screen films and television shows to representatives of television stations, streaming service providers or prospective advertisers. Screenings are via invitation only, and are not open to the general public.

The original cinema entrance on the corner of Oxford and South Dowling Streets provides access to an upper level bar and restaurant on the South Dowling Street side of the building via the staircase that originally provided access to the upper levels of the original picture theatre. At the ground floor, retail tenancies line Oxford Street providing an active frontage and are occupied by a guitar school, cafe and computer repair shop. The upper level commercial spaces fronting Oxford Street are accessed off a central stairway off an Oxford Street entrance and are currently occupied by two separate artist studios and an office suite. There is also a two level operating night club (over the ground and a basement level), accessed from an entrance at the western end of the Oxford Street frontage.

Fire exits from the night club access the small area to the south of building, which rises over the auditorium toilets, located in a small part of the building to the south of the auditorium, to discharge to South Dowling Street. This space abuts the rear of the heritage listed item 'Terrace group including interiors' (Item No. 1103 and 1105 at 2-20 Rose Terrace and 260-262 South Dowling Street). The items building structures are positioned very close to the site boundary, with some additions extending over the site boundary.



Figure 3. View of site to corner of Oxford Street and South Dowling Street, Paddington

2. Existing planning controls

The Sydney LEP 2012 contains zoning and principal development standards for the site. These are discussed below.

Zoning

Zoning is shown in Land Zoning Maps referred to in clause 2.2 of the Sydney LEP 2012.

The site is zoned B2 Local Centre shown in Figure 4. The objectives of this zone seek to provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area and to encourage employment opportunities in accessible locations.

The zoning permits a broad range of uses including hotel and motel accommodation, entertainment facilities and health service facilities. This planning proposal does not seek to change the existing zoning.

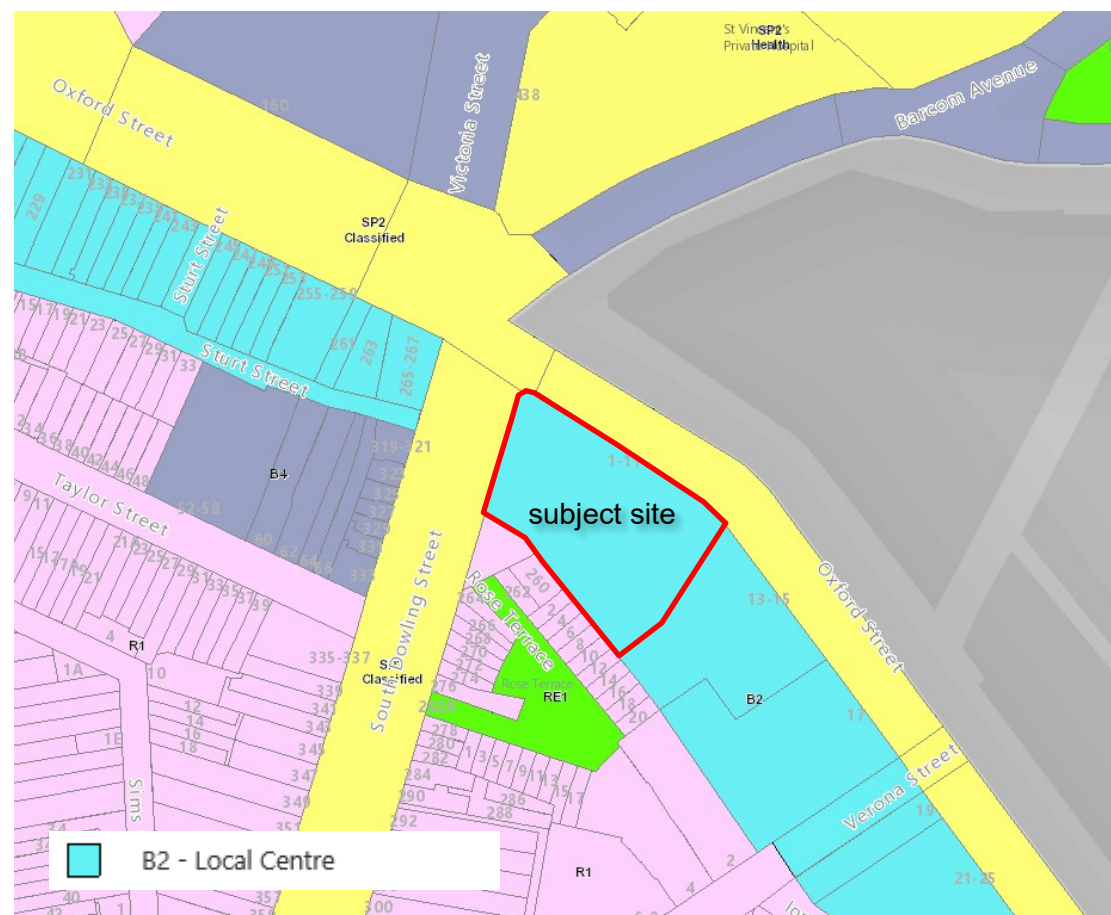


Figure 4. Extract from Sydney LEP 2012 Zoning Map

Building height

Maximum building height is shown on the Building Heights Maps referred to in clause 4.3 of the Sydney LEP 2012.

The subject site has a maximum building height control of 15 metres, shown in Figure 5 below.

This Planning Proposal is to amend the building height for a hotel, entertainment facility and health services facility scheme.



Figure 5. Extract from the Sydney LEP 2012 Building Height (in metres) Map

Floor Space Ratio

Maximum floor space ratio controls are shown in the Floor Space Ratio (FSR) Maps referred to in clause 4.4 of the Sydney LEP 2012.

The subject site has a maximum floor space ratio of 2.5:1, shown in Figure 6 below.

This planning proposal is to amend the available FSR for a hotel, entertainment facility and health services facility scheme.



Figure 6. Extract from the Sydney LEP 2012 Floor Space Ratio Map

Heritage

The subject site is within C50 Paddington Urban Heritage Conservation Area under schedule 5 of the Sydney LEP 2012 and is above State-significant heritage item I1 (Busby's Bore) (and listed on the State Heritage Register No. SHR00568).

The area surrounding the subject site includes a number of local heritage items, as shown in Figure 7 below.



Figure 7. Heritage Map, Sydney LEP 2012

3. Land owner request

Background

The City was approached by the proponent in early 2018 about a potential planning proposal request for the site. On 29 November 2018 the Proponent submitted a formal planning proposal which requests the City amend the LEP and the DCP to allow additional height and floor space ratio to facilitate development at 1-11 Oxford Street, Paddington for a new medical-hotel and health services facilities, with opportunities for entertainment facility and food and drink premises as part of the development and future operation.

The proposal is the result of collaboration between the proponent, CE Boston Hotels and St Vincent's Hospital. The proposal is positioned as assisting St Vincent's Hospital by providing purpose-built accommodation to suit the needs of patients and their families, along with floor space dedicated to health services facilities.

Concept Design and Supporting Documentation

An indicative concept design prepared by Tonkin Zulaikha Greer Architects and other supporting documents has been submitted to justify the planning proposal and demonstrate the type of development that it will facilitate. The concept has been amended following assessment by the City.

The concept design, as amended, includes retention of the external facade to Oxford Street, South Dowling Street and some walls and staircase in the northern-western corner of the building, demolition of the remainder of the building and construction of 6 storeys above ground (including a new mansard type roof and roof bar terrace) and 2 basement levels (1 additional than existing).

The concept design shows the following accommodation:

- Basement level 2: St Vincent's Hospital medical facilities of 419 square metres, for research, education or other medical related uses plus waste storage and servicing and other site storage;
- Basement level 1: Two multi-purpose venue rooms of 222 square metres (300 people) and 157 square metres (50 people), a subterranean courtyard garden and staff amenities and service facilities;
- Ground floor: Hotel lobby accessed off the original cinema entry on the splay corner of Oxford and South Dowling Streets, a ground floor restaurant of 273 square metres, a ground level café of 119 square metres, a courtyard garden and servicing access off South Dowling Street at the south-western corner of the site;
- Floors 1-4: 102 hotel rooms over 4 levels;
- Floor 5: Rooftop food and drink premises of 159 square metres (200 people).



Figure 9. Photomontage of amended concept scheme with reduction in height

This proposal could generate demand for 110 full time employees on site in the future, an increase from the 27 currently estimated on site. In addition, 380 temporary construction jobs are estimated to be supported by the redevelopment of the site.

Planning Proposal - Amendments to Sydney LEP 2012

The planning proposal seeks to amend the LEP:

- adding a new site-specific clause to allow a maximum building height of RL 68.655 metres and a maximum floor space ratio of 2.95:1 above RL47.455, provided:
 - the site is developed predominantly for hotel or motel accommodation
 - a minimum of 300 square metres gross floor area entertainment facility and 300 square metres gross floor area health services facility are provided at basement level
 - the development will not endanger the structural stability of 1-11 Oxford Street, Paddington or State-significant Busby's Bore heritage item running under the site, and
 - that the development will not be used for the purpose of residential accommodation or serviced apartments.
- Clause 4.6 Exceptions to development standards, to exclude the subject site from the operation of this clause.

4. Objectives or intended outcomes

Objectives

The objectives of the planning proposal are to:

- Facilitate the provision of hotel or motel accommodation, entertainment facility and health services facility uses to:
 - enhance Sydney's diverse hotel accommodation market that caters to changing visitor demand, consistent with the City's Visitor Accommodation Action Plan (2015) and the Eastern City District Plan's tourism and industry objectives
 - support the existing cluster of health related uses in the area, anchored by St Vincent's Hospital consistent with District Plan actions for the Harbour CBD
 - enhance the local area's cultural and night-time offering including supporting Oxford Street's role in the proposed Eastern Creative Precinct
- Conserve and enhance the heritage significance of the contributory building within the Paddington Urban Heritage Conservation Area
- Ensure that the scale and massing of the height and floor space ratio controls is appropriate in response to its context within the Paddington Urban Heritage Conservation Area, setting of the surrounding heritage items, streetscapes and the surrounding low scale residential
- Ensure the redevelopment of the site will not endanger the structural stability of the existing building and State heritage listed Busby's Bore heritage item
- Restrict residential accommodation and serviced apartments from the proposed additional FSR

Outcomes

The intended outcomes of the planning proposal are:

- The amendment to allow additional height and floor space will facilitate the provision of strategic 'hotel or motel accommodation', 'health services facility' and 'entertainment facility' uses, provided in a strategically appropriate location for these uses
- Allow for a built form that protects heritage and manages environmental impact
- To achieve the principles of ecologically sustainable development

5. Explanation of the provisions

Sydney Local Environmental Plan 2012

To achieve the intended outcomes, this planning proposal seeks to amend Sydney Local Environmental Plan 2012 as follows:

- Introduce a new clause under 'Division 5 Site Specific Provisions' of Sydney Local Environmental Plan 2012 to enable additional height, above that shown in the Height of Buildings Map, and floor space greater than shown in the Floor Space Ratio Map, provided:
 - the maximum height does not exceed RL 68.655 metres AHD,
 - the maximum floor space ratio does not exceed 2.95:1 above RL 47.455 AHD
 - the site is developed predominantly for hotel or motel accommodation
 - a minimum of 300 square metres gross floor area entertainment facility and 300 square metres gross floor area health services facility are provided at basement level
 - the development will not endanger the structural stability of 1-11 Oxford Street, Paddington or State-significant Busby's Bore heritage item running under the site
 - the development is not eligible for any additional height or floor space for exhibiting design excellence under Clause 6.21(7)
 - that the development will not be used for the purpose of residential accommodation or serviced apartments.
- Amend clause 4.6(8) to ensure no additional height or floor space can be achieved by way of a variation to the proposed new clause.

The final clause to be inserted into Division 5 would be subject to drafting and agreement by Parliamentary Counsel's Office but may be written as follows:

Part 6 Local provisions—height and floor space

Division 5 Site specific provisions

6.xx 1-11 Oxford Street, Paddington

- (1) The objective of this clause is to provide additional building height and an increased floor space ratio for development for the purpose of hotel or motel accommodation, entertainment facility and medical services facility on certain land.
- (2) This clause applies to the site of 1-11 Oxford Street, Paddington, comprising Lots 1 & 2 in DP130269 and Lot A in DP377984
- (3) Despite clauses 4.3 and 4.4, development consent may be granted to the erection or use of a building on land to which this clause applies, with a maximum height of RL 68.655 metres AHD, and floor space ratio of 2.95:1 above RL 47.455
- (4) Clause 6.21(7) does not apply to development on land to which this clause applies
- (5) Development consent must not be granted under subclause (3) unless the consent authority is satisfied that development for the entire site is primarily for the purposes of 'hotel or motel accommodation', and includes 'entertainment facility' with a minimum gross floor area of 300 square

metres and 'health services facility' with a minimum gross floor area of 300 square metres at basement level

- (6) Development consent must not be granted under subclause (3) unless the consent authority is satisfied that development will not endanger the structural stability of the building or State heritage listed Busby's Bore heritage item running under the site.
- (7) Despite any other provisions of this Plan, a building erected in accordance with a development consent granted under subclause (3) must not be used for the purposes of residential accommodation or serviced apartments

Part 4 Principal development standards

4.6 Exceptions to development standards

- (8) This clause does not allow development consent to be granted for development that would contravene any of the following:

(xx) Clause 6.xx (1-11 Oxford Street, Paddington)

6. Justification

This section of the planning proposal provides the rationale for the amendments and responds to questions set out in the document entitled *A guide to preparing planning proposals*, published by the Department of Planning and Environment in August 2016.

Strategic merit

The planning proposal demonstrates strategic merit. It will support an existing health cluster, the tourism industry and will strengthen the economic and cultural role and character of the proposed Eastern Creative Precinct, within the District Plan's Harbour CBD strategic centre. The site is in an accessible location, and the building is of appropriate design with good environmental performance. The site-specific merits of the proposal are discussed below, followed by consistency with the Eastern City District Plan, and the City's Sustainable Sydney 2030 strategy.

Health and Education

The planning proposal is supported by a letter from St Vincent's Hospital, stating that:

"The Site is located immediately adjacent to SVPHS and we have been working collaboratively with the proponent, CE Boston Hotels, to identify important synergistic opportunities afforded by the proposed development. Potential benefits to SVPHS and the community include, but are not necessarily limited to:

- *co-location of high-quality, purpose-built accommodation for patients and their families;*
- *integrating specialised medical facilities into the proposed multi-use function rooms, with optic fibre connection to SVPHS for live video streaming, to facilitate global state of the art medical education and training; and*
- *bringing much needed economic activity from international visitors and patients, doctors, nurses, specialists and others associated with SVPHS to reinvigorate the site and broader Oxford Street retail precinct.*

St Vincent's Private is a leading centre for education and research and we are committed to the ongoing training and development of healthcare professionals. We view this development as a very exciting and real opportunity to effect global innovation in health and education."

The Eastern District Plan states in relation to health and education precincts that:

There is a need to:

- *plan for the diversification and expansion of these precincts*
- *protect surrounding employment areas for health, education, research, innovation and creative industry land uses*
- *explore flexible zoning to accommodate ancillary and complementary uses such as health and medical research activities, private hospitals, allied health, start-ups, innovation and creative industries, ancillary retail, visitor, carer and aged accommodation, in the right locations.*

While the site is not within an identified health and education precinct in the District Plan, the health sector uses that cluster around St Vincent's hospital in this area are important to the local and city economy. The planning proposal provides the opportunity for the site to meet some of these health and education needs, providing

educational facilities, health and medical research activities and visitor accommodation, associated with the existing health and education cluster. Accordingly, the planning proposal has strategic merit to meet health and education strategic outcomes.

Visitor accommodation

Sydney's tourism industry makes a significant contribution to the local and state economy. During the 2017/18 financial year, 6.09 million international and domestic overnight visitors stayed in commercial accommodation located in the City of Sydney LGA. Analysis by the City of Sydney in 2013 found that a sustainable supply of visitor accommodation is needed to support projected tourism growth.

The City's Sustainable Sydney 2030 and Visitor Accommodation Action Plan (2015) aim to facilitate development of additional visitor accommodation. This planning proposal will provide for a new mid-range hotel use in a highly accessible and central location, contributing to the LGA's accommodation supply.

The proposal is a medical hotel with each room having basic medical facilities. It is next to St Vincent's Hospital will provide suitable and convenient accommodation for patients prior to treatment and during the later part of their convalescence, as well as for patient's families, medical staff and others associated with St Vincent's Hospital.

The hotel will contribute to the visitor offering along Oxford Street and in Darlinghurst and local economy. Visitors will access food and drink premises, boutique retailing, entertainment venues, Moore Park sports facilities, Centennial Park, creative and cultural venues and major events, such as the Sydney Gay and Lesbian Mardi Gras.

The site has five bus routes passing, with frequent bus services linking to central Sydney, Bondi Junction hub and the eastern Sydney beaches, such that a future hotel will be well-connected by public transport to key tourist locations.

The planning proposal to facilitate the concept design provides the opportunity for the well placed site to provide visitor accommodation for this area of Sydney. Accordingly, the planning proposal has strategic merit to support the tourism industry.

Entertainment Facilities

The draft Local Strategic Planning Statement (the Planning Statement) being reported concurrently to this Council meeting proposes an Eastern Creative Precinct centred on Oxford Street which aims to support existing and emerging employment clusters within the area and capitalise on the areas proximity to long term establishments including the National Art School and UNSW Art and Design. This includes investigating planning approaches to support creative industries, the cultural and performance sector and night-time businesses.

The Planning Statement includes an action to strengthen the economic and cultural role of the Eastern Creative Precinct by protecting and enhancing the entertainment, arts, performance and cultural role of areas and high streets within the Precinct, including through the provision of space for cultural performance and production.

At the 10 December 2018 Council Meeting, a Minute (Item 3.2) by the Lord Mayor was endorsed and adopted unanimously. The Minute discussed the challenge of making space for creativity and culture, but how vital having a rich creative and cultural community was to the creation of a strong, thriving and prosperous city. It outlined the need for clusters of new creative activities. It also outlined that there is a shortage of small to medium sized performance and rehearsal space venues, ranging from 200-500 people.

While this planning proposal involves the loss of the former cinema spaces, the planning proposal requires a minimum 300 square metre gross floor area entertainment facility indicatively capable of accommodating 300 people. Although the new space will not match the size of the existing entertainment facility being removed, development facilitated by the planning proposal requires the provision of a small to medium facility. This may be a more viable long term use, noting that the former twin cinema was closed for many years before being used for a temporary private commercial use.

There is the opportunity for this space to be used for a variety of functions, such as being associated with the operation of the hotel, medical educational use, and as an entertainment facility which includes theatre, cinema and music hall uses.

As a comparison, the nearby City owned Eastern Sydney Community and Arts Centre is a good example of a successful multi-purpose facility, with the upper floor being comparable in size to the 300 square metres gross floor area required by this proposal.

To ensure that a future development of the site incorporates entertainment facility, it is recommended that the proposed site specific LEP clause requires that development incorporate an entertainment facility, with a minimum 300 square metres gross floor area, at basement level and the draft DCP controls require there be separate entry and lift and stair access off Oxford Street and access to a loading dock to ensure adequate functionality.

Site specific merit

Structural Peer Review

The Structural Peer Review commissioned by the City includes comments that the structural proposal provided in the BG&E report submitted with the planning proposal is considered to be *theoretically* a structurally feasible solution for the retention of the facade. However, it identifies risks associated with this structural proposal in terms of the extent of demolition and excavation. It also evaluates that the City's recommended development approach is a lower risk option compared to the structural proposal of the concept design as it retains the main structural form of the building, limits major demolition and excavation to the auditorium space and adaptively reuses fabric.

The Structural Peer Review Report makes the following key comments:

The retention of the internal walls provide structural stability to the facade of the building, in a manner that the original structure was designed.

By retaining the internal walls, it would be possible to relocate the proposed external bracing for the facade to within the property boundaries. By moving the bracing to within the property boundaries, the support framing can be designed to work in conjunction with the existing internal walls to provide the structural stability required to retain the facade.

The Structural Peer Review Report recommends the preferred development approach outlined by City is adopted for the development of this site. The report also outlines additional structural information that should be provided to minimise risk to the structure. These include an existing structural condition report; determining existing footing depths and types; an existing condition report of Busby's Bore; a detailed geotechnical inspection; and risk management plan. The recommendations of the structural peer review have been incorporated into the heritage conservation controls in the site specific draft DCP.

Heritage

The building is a contributory building in the Paddington Urban Conservation Area. It presents a three storey Federation Free Style former "Picture Hall" street facade to Oxford Street and South Dowling Street with a stepped parapet form and curved cornice feature defining the prominent corner. The facades are largely intact externally above ground floor level although it has lost its entry portico with dome roof lantern.

Internally the building has been substantially altered to accommodate a twin cinema complex, with concrete brutalist elements in the 1970s. There are some original surviving elements including the configuration of the main stair and some walls and rooms adjoining the street elevations.

The supporting heritage impact statement submitted with the planning proposal concludes that "the property does not meet the threshold for individual heritage listing. The subject building is a heavily modified example of a Federation period former 'picture hall', which has been subject to numerous conversions, changes of use, and alterations over its lifetime. The building still makes an aesthetic and historic contribution to the Paddington Urban Heritage Conservation area, and the traditional low-scale built form of Oxford Street, however the building has lost a range of its original features and has a low level of intactness and integrity."

Council's assessment of the building is that despite alterations, the building remains recognisable as a theatre/cinema. The site has heritage significance as a rare, surviving early theatre or cinema, dating from 1911, which through its construction and phases of alterations, demonstrates the history of cinema throughout the 20th century.

While this planning proposal is not seeking the heritage listing for the site, as a contributory building in the Conservation Area and as the building has some heritage significance, it is appropriate that the key aspects of the building be retained, protected, adaptively reused, reconstructed and interpreted, to ensure appropriate heritage conservation of the site.

The proposed development standards are based on retaining the existing facade and front rooms fronting Oxford and South Dowling. Excavation and new development is generally limited to the footprint of the two cinema spaces, which have been heavily modified over time.

Greater retention of the building structure and reduced excavation, as recommended by the Structural Peer Review Report, will also reduce the risk to its structural integrity, compared to the proposal for the basement retaining walls being located directly adjacent to the potentially fragile original footing/foundation of the street facades, which could become destabilised and in the worst case precipitate demolition.

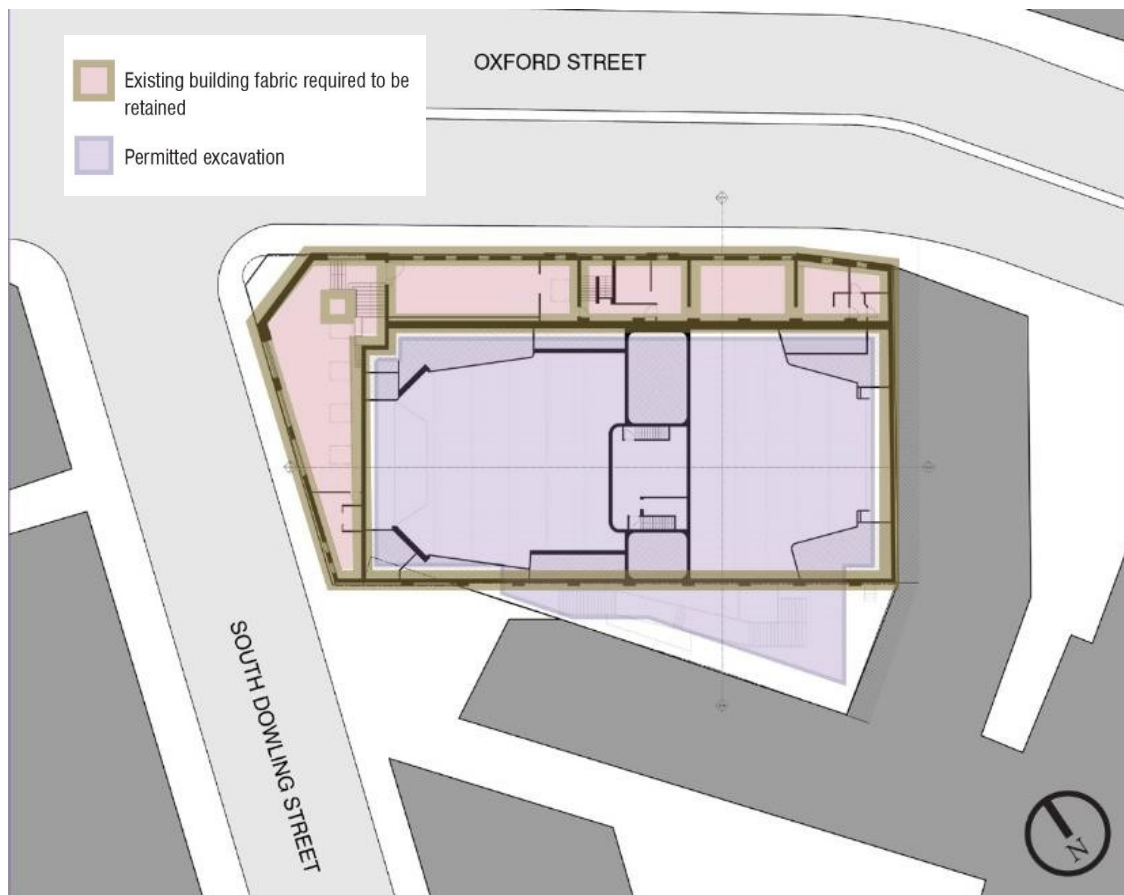


Figure 10. draft DCP extract - required building retention and permitted excavation plan

Part of the State Significant heritage item of Busby's Bore (State Heritage Register No: SHR00568) is located diagonally underground across the site. Designed by John Busby and constructed between 1827 and 1837, the Bore was developed to provide clean water to the colony of Sydney, as the Tank Stream had become dangerously polluted by this time, running between what are now Centennial Park and Hyde Park. Busby's Bore State Heritage Register curtilage map has a physical curtilage extending to 3 metres from any external surface of Busby's Bore.

The documentation supporting the planning proposal estimates that the bore is located approximately 3 metres below the proposed basement and footing excavation on the boundary of the listing curtilage. So any variation from the estimate could trigger consent requirements and notwithstanding consent, impact on the structural stability of the bore. Given the uncertainty of its position and its potentially fragile structure it is critical to ensure any excavation of the site protects the heritage item and that the risk is appropriately managed.

To assist this, preliminary consultation with the Heritage Council of NSW was sought on the matter by the proponent. A letter from the Delegate of Heritage Council of NSW states "if the planning proposal is supported further archaeological and geotechnical work must be undertaken to gain an accurate indication of both the alignment and depth of the Bore beneath the subject site. Once ground-truthed data is collected about the alignment and depth of Busby's Bore, modifications should be made to any development application proposed to be lodged if required to avoid damage to this SHR listed item."

The letter also notes that "the subject site retains an overall moderate to high archaeological potential, and the redevelopment of the site proposes the

construction of two basement levels, as such it is likely that development will impact on potential relics on the site." The Heritage Council supports the proposed *s140 Application for an excavation permit* but also states that "any application should include a Research Design and Excavation Methodology that seeks to conserve archaeological resources of potential State significance."

Given the uncertainty of the exact depth and conditions of Busby's Bore, as well as the various structural aspects surrounding the retention of the main aspects of the existing building, the site specific LEP clause should include a requirement that redevelopment of the site as proposed only be allowed if the development retains the structural integrity of the subject building and Busby's Bore.

Draft DCP will set controls to ensure heritage conservation outcomes including to ensure protection of the subject building and Busby's Bore and require the additional reports and investigations to occur as part of development of the site.

Height and building envelope

The planning proposal requests a maximum height of RL 68.655 m Australian Height Datum (AHD), which is considered acceptable. In the supporting concept design this height only relates to the height of two lift overruns, with the majority of the building's higher elements being at lower level of RL 67.5 m (AHD).

The massing of the concept design is acceptable within the scale of the streetscape and maintains the contribution of the building to the significance of the conservation area. The scale is generally within the maximum height of the existing building and the draft DCP establishes the building envelope and setbacks to retain the prominence of the original façade and corner element. Revision to the window treatments and other detail aspects will be addressed at the development application stage.

The draft DCP provides controls to ensure an acceptable outcome in relation to the heritage significance of the building, the conservation area, surrounding heritage items and the streetscape. The draft DCP also includes controls and a building envelope to protect the adjoining residential amenity, consistent with the concept design, so that the terrace houses to the south do not receive any additional overshadowing.

Floor Space

This area on the southern side of Oxford Street predominantly has a mix of 2.5:1 and 3:1 FSR. It appears the 2.5:1 FSR has been designated where it relates to existing 2 storey commercial terrace forms and/or interfaces at the rear with low scale single dwelling residential. The subject site similarly is adjacent to low scale single dwelling residential. It is therefore appropriate that additional density and resulting built form should be massed predominantly to the Oxford Street side and within basement excavation and any massing to the rear be minimised. This reflects what is proposed in the concept design, with the additional FSR above RL 47.455 being massed towards Oxford Street.

Overshadowing

While the detailed assessment of overshadowing will be considered at development application stage a preliminary assessment has been considered at this planning proposal stage. To limit any impact on the residential areas to the south of the site, the majority of the building has been massed to the Oxford Street side with only minor increase in height at the rear.

Assessment of shadow analysis of the concept design at 21 June demonstrates:

- the windows at the rear of properties at 2-20 Marshall Street and 260-262 South Dowling Street directly south of the site, either do not currently receive solar access due to shadowing from the existing building on the site or will be unaffected;
- there is minor overshadowing to first floor bedroom windows and ground floor kitchen windows at the rear of property at 264-276 South Dowling Street between 9 and 10 am. This impact will be a matter for consideration at detailed development application stage, but the principle DCP does not protect solar access to bedroom and kitchen windows;
- there is no additional shadowing of windows to properties at 1-17 Rose Terrace; and
- Apartment 1-6 in the residential flat building at 13-15 Oxford Street to the east of the site will receive greater than 2 hours solar access from 11 am to 1pm.

Traffic and Transport

Vehicle access is to be provided from South Dowling Street towards the southern edge of the site. South Dowling Street and Oxford Street are State Roads under Roads and Maritime Services (RMS) control, requiring RMS approval for new access. The planning proposal includes a Transport Impact Assessment (TIA) which notes that RMS has reviewed a pre-development application enquiry and raises no objection in principle provided the driveway is the furthest away from the traffic signals with Oxford Street, and be restricted to be left-in left out, which is proposed. The TIA demonstrates that the site can accommodate appropriate loading, waste and access arrangements.

In terms of transport and parking given the site and heritage constraints, it will not be possible to provide on-site parking or passenger pick up and set down areas, given there is a bus lane on Oxford Street and no stopping parking controls on Oxford Street and South Dowling Street. The proposed uses would need to rely on individual transport access, which is considered acceptable given the boutique type of hotel being proposed and the accessible location. A management plan to manage this and operation of a single loading bay for multiple uses and functions would be required at the development application stage.

Sustainability

The proponent has committed to the hotel being developed to achieve 5 star Green Star Design & As Built certification, exceeding the minimum energy and water credits. The owner of the hotel development will also execute a Commitment Agreement of 4.5 stars National Australian Built Environment Rating System (NABERS) Energy for the whole hotel building with the NSW Office of Environment and achieve 4 star NABERS Water whole building rating. The draft site-specific DCP includes provisions for the development to specify design measures and achieve the targets for energy and water.

Public Domain and Landscaping

The provision of a new vehicular access proposed in the south-western corner of the building in the concept design will require the removal of one London Plane Tree and construction of a new driveway crossover to accommodate a small rigid truck. The concept design also proposes the planting of four new medium sized trees in the Oxford Street footpath, enabled by the removal of the continuous awning and replacement with entry awning to better reflect the original presentation of the building for heritage conservation outcome. The concept design also proposes the creation of a courtyard garden, with the provision of a number of substantial trees.

The proposed public domain and landscaping has been reviewed by the City's Arboriculture Services, who do not object to the removal of this tree and providing the driveway is in this location given the suppressed canopy of this tree due to competition from adjoining trees. The provision of four new trees on Oxford Street is supported.

The principal DCP requires at least 15% canopy coverage of a site within 10 years from the completion of development. It is assessed that the current tree species of trees within the courtyard garden, as indicated on the landscape plan are suitable, however the plan may need to be amended to ensure the minimum cover is achieved and there is adequate soil volume to support the proposed trees.

The draft site-specific DCP includes provisions for the required public domain and landscaping.

Section A – Need for the planning proposal

Q1. Is the planning proposal a result of any strategic study or report?

The Planning Proposal is not the result of any specific strategic study or report. It has been initiated by the proponent to allow additional height and floor space to facilitate a new hotel, health services facility and entertainment facility. This planning proposal is the result of detailed work undertaken by the City in response to documentation lodged by a consultant team on behalf of CE Boston Hotels Pty Ltd. Accordingly the proposal is consistent with a range of key strategic planning documentation including Sustainable Sydney 2030 and the Eastern City District Plan.

The package of supporting documentation provides a reasonable basis upon which to progress this planning proposal.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

In preparing this planning proposal, three options were considered in relation to the intended outcomes in Part 1. These are listed and discussed below:

Option 1: Do nothing

Option 1 involves the continued operation of the existing building in its current form as mixed use development containing an entertainment facility space, and spaces for a mix of commercial premises and food and drink premises. It is considered that this option represents a lost opportunity, not achieving the key strategic outcomes to support the St Vincent's Hospital health precinct, the tourism industry and strengthen the economic and cultural role and character of Eastern Creative Precinct.

Option 2: Development application

Option 2 involves the lodgement of a development application with Council subject to a Clause 4.6 variation to the maximum floor space ratio. Should Option 2 be pursued for the current development concept, the proposed FSR would represent a 44% variation to the existing maximum FSR of 2.5:1 and a approximately 21% variation to the existing maximum 15m HOB allowed under the LEP. Advice was given by the City that a planning proposal would be required given the significant variations being proposed. It is therefore not considered to be an appropriate means for facilitating the intended outcome.

Option 3: Planning proposal

As a result, Option 3 is chosen as the most suitable pathway to achieve the desired building envelope for the site. The planning proposal seeks to allow additional height,

and FSR to facilitate the strategic uses on the site, while also ensuring the heritage conservation of the site is protected. This can be achieved by setting appropriate height controls, setting a maximum FSR control above RL 47.455, tied to the provision of the strategic uses on the site and allowing additional floor space below ground, provided the development demonstrates that it will not endanger the structural stability of the retained building or State significant heritage item running under the site.

Section B – Relationship to strategic planning framework

Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and the exhibited draft strategies)?

Greater Sydney Region Plan: A Metropolis of Three Cities

The Greater Sydney Region Plan is a NSW Government strategic document that outlines a 40 year vision and 20 year plan for Greater Sydney. It identifies key challenges facing Sydney including a population increase of 3.3 million by 2056, 817,000 new jobs by 2036 and a requirement for 725,000 new homes over the next 20 years.

In responding to these and other challenges, the plan sets out four goals and ten directions:

- Infrastructure and collaboration – securing ‘a city supported by infrastructure’ and ‘a collaborative city’
- Liveability – achieving ‘a city for people’, ‘housing the city’ and ‘a city of green places’
- Productivity – creating ‘a well-connected city’ and ‘jobs and skills for the city’
- Sustainability – delivering ‘a city in its landscape’, ‘an efficient city’ and ‘a resilient city’

To achieve these goals and directions, the plan proposes 40 objectives, with 15 associated actions. Objectives of particular relevance to this planning proposal include:

Objective 4: Infrastructure use is optimised;

Objective 9: Greater Sydney celebrates the arts and supports creative industries and innovation

Objective 13: Environmental heritage is identified, conserved and enhanced;

Objective 14: Integrated land use and transport creates walkable and 30-minute cities;

Objective 18: Harbour CBD is stronger and more competitive;

Objective 21: Internationally competitive health, education, research and innovation precincts

Objective 22: Investment and business activity in centres;

Objective 24: Economic sectors are targeted for success;

Objective 30: Urban tree canopy cover is increased; and

Objective 33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change.

NSW Government District Plans – Eastern City District

The NSW Government has prepared plans for each of the five districts that comprise the Greater Sydney area. The City of Sydney is in the Eastern City District. The District Plans set out how the Greater Sydney Region Plan will apply to local areas. They will influence the delivery of housing supply, inform and influence planning for business and jobs growth, particularly in strategic centres and inform the decision making for infrastructure planning.

The Eastern City District Plan, completed in March 2018, identifies 22 planning priorities and associated actions that are important to achieving a liveable, productive and sustainable future for the district, including the alignment of infrastructure with growth.

This planning proposal is consistent with the following planning priorities of the Eastern City District Plan:

- Planning Priority E6: Creating and renewing great places and local centres, and respecting the District's heritage – This Planning Proposal will support food and drink and entertainment activities providing night-time businesses, creative uses and performance venues to contribute to a vibrant Oxford Street local centre. It will also protect the heritage significance of the site by including heritage conservation considerations in the site specific LEP clause and heritage conservation controls in the site specific DCP amendment.
- Planning priority E7: Growing a strong and more competitive Harbour CBD – The site is on the boundary of the Harbour CBD, one of Sydney's three metropolitan centres. The planning proposal will give effect to the actions 24 and 25 as the proposed uses will strengthen the competitiveness of the St Vincent's Hospital health cluster, grow the vibrancy through tourism and entertainment facilities, supporting a night-time economy and contributing to the Harbour CBDs job targets.
- Planning Priority E8: Growing and investing in health and education precincts and the Innovation Corridor – This Planning Proposal provides the opportunity for the site to meet some of the health and education needs by providing health and medical research activities and visitor accommodation associated with the St Vincent's Hospital health cluster.
- Productivity Priority E13: Supporting growth of targeted industry sectors – This Planning Proposal will support and contribute to the visitor economy by facilitating the redevelopment of the site for a hotel use in the under-supplied mid-range market. Its location on the CBD fringe and in walking distance of the City of Sydney villages of Paddington, Surry Hills and Darlinghurst will support to the use of public transport.
- Planning Priority E17: Increasing urban tree canopy cover and delivering Green Grid connections – This Planning Proposal commits to providing 4 new medium sized trees in the Oxford Street footpath, which is incorporated into the site specific DCP, which will increase the urban tree canopy cover.
- Sustainability Priority E19: Reducing carbon emissions and managing energy, water and waste efficiently – This Planning Proposal and site-specific draft DCP will ensure sustainability benchmarks for hotel or motel accommodation use are achieved.

Q4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?

Sustainable Sydney 2030 is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. The Planning Proposal and amendment to the DCP are aligned with the following Sustainable Sydney 2030 strategic directions and objectives:

- [Direction 1 - A Globally Competitive and Innovative City](#) - The proposed amendments to planning controls for the site will facilitate redevelopment of the site for a hotel and entertainment facilities. This will support Sydney's tourist industry, which is a sector of critical importance to Sydney's economy and contributes to making Sydney attractive to global investors.
- [Direction 3 - Integrated Transport for a Connected City](#) - The potential future use of the site as a hotel will take advantage of good proximity to public transport links, on a high capacity bus routes running along Oxford Street, connecting the area to Central Sydney, Bondi Junction and eastern Sydney beaches.
- [Direction 5 - A Lively and Engaging City Centre](#) - Redevelopment of the site will provide publicly accessible active uses, with a ground floor restaurant and cafe, roof top bar and a new multi-purpose entertainment facility in the basement. This will continue long-term activation on the site and for the eastern part of Oxford Street, contributing to the night time economy.
- [Direction 6 - Vibrant Local Communities and Economies](#) - The planning proposal facilitates the expansion of health and education needs, providing health and medical research facilities and visitor accommodation to support the St Vincent's health and education cluster.
- [Direction 7 - A Cultural and Creative City](#) - The planning proposal will contribute to and strengthen the economic and cultural role and character of the Eastern Creative Precinct, enhancing the entertainment, arts, performance and cultural role of areas and high streets by requiring as part of the development to be a new entertainment facility, helping to meet the identified shortage of small to medium sized performance and rehearsal space venues.
- [Direction 9 - Sustainable Development, Renewal and Design](#) - The planning proposal commits to higher performance measures for the future development of the hotel use (5 star Green Star rating, 4.5 star NABERS Energy and 4 star NABERS Water rating). The proposal is also consistent with the principle of transit oriented development by co-locating accommodation and employment opportunities in an accessible location.

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPs)?

The consistency of this planning proposal with current State Environmental Planning Policies (SEPPs) and former Regional Environmental Plans (REPs) is outlined in the table below. SEPPs and SREPs which have been repealed or were not finalised are not included in this table.

State Environmental Planning Policy	Comment
SEPP No 1—Development Standards	Consistent, this planning proposal does not contain provisions that contradict or hinder the application of this SEPP.
SEPP 10 - Retention of Low Cost Accommodation	Not applicable.

State Environmental Planning Policy	Comment
SEPP 32 – Urban Consolidation (Redevelopment of Urban Land)	Consistent – This planning proposal does not contradict or hinder application of this SEPP.
SEPP No 33—Hazardous and Offensive Development	Consistent - This planning proposal does not contradict or hinder application of this SEPP.
SEPP No 42 – Casino Entertainment Complex	Not applicable.
SEPP No 47—Moore Park Showground	Not applicable.
SEPP No 53 – Metropolitan Residential Development	Not applicable.
SEPP No 55—Remediation of Land	Consistent - This planning proposal does not contradict or hinder application of this SEPP.
SEPP 60 Exempt and Complying Development	Consistent – This planning proposal does not contradict or hinder application of this SEPP.
SEPP No 64—Advertising and Signage	Consistent - This planning proposal does not contradict or hinder application of this SEPP.
SEPP No 65—Design Quality of Residential Flat Development	Not applicable.
SEPP No 70—Affordable Housing (Revised Schemes)	Not applicable.
SEPP (Building Sustainability Index: BASIX) 2004	Consistent - The planning proposal does not contradict or hinder application of this SEPP.
SEPP (Housing for Seniors or People with a Disability) 2004	Not applicable.
SEPP (Major Development) 2005	Not applicable.
SEPP (Sydney Region Growth Centres) 2006	Not applicable.
SEPP (Infrastructure) 2007	Not applicable.
SEPP (Exempt and Complying Development Codes) 2008	Consistent - The planning proposal does not contradict or hinder application of this SEPP.
SEPP (Affordable Rental Housing) 2009	Not applicable.
SEPP (Coastal Management) 2018	Not applicable.
Sydney REP (Sydney Harbour Catchment) 2005	Consistent - The planning proposal does not contradict or hinder application of this REP.

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

This planning proposal has been assessed against each Section 9.1 direction. Consistency with these directions is shown in the table below.

Direction		Comment
Employment and Resources		
1.1	Business and Industrial Zones	Consistent. The planning proposal is consistent with this Direction as it will facilitate the provision of additional employment floor space, fostering new jobs and small business.
1.2	Rural Zones	Not applicable
1.3	Mining, Petroleum Production and Extractive Industries	Not applicable
1.4	Oyster Aquaculture	Not applicable
1.5	Rural Lands	Not applicable
Environment and Heritage		
2.1	Environment Protection Zones	Not applicable
2.2	Coastal Protection	Not applicable
2.3	Heritage Conservation	Consistent. This planning proposal will protect the heritage significance of the site within the Paddington Urban Heritage Conservation Area and the heritage item under the site.
2.4	Recreation Vehicle Areas	Not applicable
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable
Housing Infrastructure and Urban Development		
3.1	Residential Zones	Consistent. This planning proposal does not contain provisions that will reduce the permissible residential density of the land.
3.2	Caravan Parks and Manufactured Home Estates	Not applicable
3.3	Home Occupations	Not applicable
3.4	Integrating Land Use and Transport	Consistent. The proposal seeks to facilitate the intensification of employment generating uses in an accessible location. Furthermore, no parking is proposed in association with the additional floor space, resulting in

Direction		Comment
		minimal traffic generation as a result of the proposal. This planning proposal is consistent with the aims, objectives and principles of <i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001), and <i>The Right Place for Business and Services – Planning Policy</i> (DUAP 2001).
3.5	Development Near Licensed Aerodromes	Not applicable
3.6	Shooting Ranges	Not applicable
Hazard and Risk		
4.1	Acid Sulfate Soils	Consistent. This planning proposal does not contradict or hinder application of acid sulphate soils provisions in Sydney LEP 2012.
4.2	Mine Subsidence and Unstable Land	Not applicable
4.3	Flood Prone Land	Not applicable
4.4	Planning for Bushfire Protection	Not applicable
Regional Planning		
5.1	Implementation of Regional Strategies	Not applicable
5.2	Sydney Drinking Water Catchments	Not applicable
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable
5.8	Second Sydney Airport, Badgerys Creek	Not applicable
5.9	North West Rail Link Corridor Strategy	Not applicable

Direction	Comment
5.10 Implementation of Regional Plans	Consistent. This planning proposal facilitates the implementation of several objectives and actions of the Region and Eastern City District Plan.
Local Plan Making	
6.1 Approval and Referral Requirements	Consistent. This planning proposal does not include any concurrence, consultation or referral provisions nor does it identify any development as designated development.
6.2 Reserving Land for Public Purposes	Consistent. This planning proposal will not affect any land reserved for public purposes.
6.3 Site Specific Provisions	Inconsistent. The planning proposal introduces a new site specific provision involving development standards, however these allow additional height and floor space, not restrictions. To benefit from the increased development standards a development must satisfy the conditions of providing strategic land uses and protecting state significant heritage. Accordingly, provisions of the planning proposal that are inconsistent with Direction 6.3 are of minor significance, as they do not impact on the primary height and FSR provisions available in the LEP.
Metropolitan Planning	
7.1 Implementation of the Greater Sydney Region Plan: A Metropolis of Three Cities	Consistent. This planning proposal facilitates the implementation several objectives and actions of the Greater Sydney Region Plan.

Section C – Environmental, social and economic impact

Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The site is currently occupied by a building built to boundary and does not contain any known critical habitat or threatened species, populations or ecological communities or habitats. The proposal presents an opportunity to incorporate a green roof, offering a safe place for birds, insects and plants to grow, as well as providing a 'stepping stone' of habitat to link other green spaces.

The draft DCP ensures the avenue of significant street trees directly adjacent to the subject site will be enhanced and not significantly impacted by future development.

As part of a future detailed development application, the City will consider environmental impacts that may be generated by the development. This will include a complete assessment of the street trees and additional

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

This planning proposal seeks to amend the height and FSR controls for the site under Sydney LEP 2012 and in doing so facilitate hotel accommodation, health services facility and entertainment facility on the site, with strategic merit for the area. In preparing this planning proposal, environmental considerations were assessed.

The proposed changes will help deliver a development that is consistent with the surrounding streetscape and heritage conservation area. A number of design principles have been adopted to ensure environmental effects such as solar access and overshadowing, visual impacts, heritage and access are appropriately mitigated and incorporated into the draft DCP. Environmental impacts are discussed in this Planning Proposal.

Q9. Has the planning proposal adequately addressed any social and economic effects?

The planning proposal demonstrates social and economic strategic merit. It will support an existing health and education cluster; it will support the tourism industry and will strengthen the economic and cultural role and character of the proposed Eastern Creative Precinct. The social and economic benefits of the proposal are discussed in detail in this Planning Proposal.

Section D – State and Commonwealth interests

Q10. Is there adequate public infrastructure for the planning proposal?

The potential future use of the site containing a hotel, entertainment facility and health services facility will take advantage of good proximity to public transport links, on a high capacity bus routes running along Oxford Street, connecting the area to central Sydney, Bondi Junction hub and eastern Sydney beaches.

Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

The Gateway Determination will identify the public authorities to be consulted as part of the planning proposal process and any views expressed will be included in this planning proposal following consultation. Formal consultation has not yet been undertaken.

7. Mapping

This planning proposal does not seek to amend the Building Height and Floor Space Ratio Maps in Sydney LEP 2012 as it is intended that the site will be described by its legal title (ie. Lot and Deposited Plan) in the relevant LEP clause.

8. Community consultation

Public consultation will be undertaken in accordance with the requirements of the Gateway Determination. It is proposed that, at a minimum, this will involve the notification of the public exhibition of the planning proposal:

- on the City of Sydney website
- in newspapers that circulate in the surrounding area; and
- in writing to the owners and occupiers of adjoining and nearby properties and relevant community groups.

It is anticipated that the planning proposal will be publicly exhibited for a period of not less than 28 days in accordance with section 4.5 of 'A guide to preparing local environmental plans'.

It is proposed that exhibition material will be made available on the City of Sydney Website and at the City of Sydney customer service centres.

Consultation with relevant NSW agencies and authorities and other relevant organisations will be undertaken in accordance with the Gateway Determination.

9. Project timeline

The anticipated timeframe for the completion of the planning proposal is as follows:

Action	Anticipated date
Commencement / Gateway Determination	December 2019
Government agency consultation and public exhibition	February 2020
Consideration of submissions	March 2020
Post exhibition consideration of proposal	April 2020
Draft and finalise LEP	May to June 2020
LEP made	June 2020
Plan forwarded to Department of Planning and Industry for notification	June 2020